

September 16, 2008

We concur: Mallano, P.J.
 Rothschild, J.

DIVISION ONE (continued)

B209402 Hirai (Not for Publication)

v.
Superior Court, Los Angeles County
(Hirai, r.p.i.)

The Court:

THEREFORE, let a peremptory writ issue, commanding respondent superior court to vacate its order of June 11, 2008, denying motion to stay/dismiss for inconvenient forum, and to issue a new and different order granting same, in Los Angeles Superior Court case No. YD053906, entitled Miho Hirai v. Mikihiro Hirai.. The temporary stay orders are vacated.. All parties shall bear their own costs.

Mallano, P.J Rothschild, J.

DIVISION TWO

B197596 Seager-Eason (Not for Publication)

v.
Smith

The judgment is affirmed. Respondent is entitled to her costs on appeal.

Doi Todd, J.

We concur: Boren, P.J.
 Chavez, J.

DIVISION TWO (continued)

B203731 Duranceau (Not for Publication)

v.
Duckart

The order admitting the letter to probate is affirmed. Respondent to recover costs on appeal.

Doi Todd, J.

We concur: Boren, P.J.
 Chavez, J.

B202117 Brumbaugh (Not for Publication)

v.
City of Torrance et al.

The order denying appellant's motion for attorney fees is affirmed. The City is entitled to its costs on appeal.

Doi Todd, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

B200788 SOCIAL SERVICES PAYMENT CASES (Certified for Publication)

The judgment of dismissal is affirmed. The DSS is entitled to its costs on appeal.

Doi Todd, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

DIVISION TWO (continued)

B204432 People (Not for Publication)

V.
Maria R.

The order of wardship is modified by striking the order setting a six-month maximum term of confinement and by modifying condition of probation No. 15 to state that minor must not associate with anyone she knows to be disapproved of by her parents or the probation officer. In all other respects, the order of wardship is affirmed. The matter is remanded to the juvenile court with directions to correct the adjudication/disposition hearing minute order with respect to condition No. 15 and to strike the maximum confinement time.

Doi Todd, Acting P.J.

We concur: Ashmann-Gerst, J.
Chavez, J.

DIVISION THREE

Court convened at 9:34 a.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, deputy clerk.

Each of the following:

B199064 People v. Fuqua, et al.
B201071 People v. Roberts, et al.
B206281 Children and Family Services v. Victor S.
B203928 Children and Family Services v. Thomas W.
B198107 People v. Johnson
B199165 People v. Grageda
B201968 People v. Kim et al.

Argument waived, cause submitted.

DIVISION THREE (continued)

B203321 Drilon
 v.
 Chavez et al.

Merits:

Argued by Julia Swanson for appellant and by Kris Bahr and P. Renee LoCascio for respondents. Cause submitted.

B202361 Hica Ed. Loan Corp./Its Servicing Agent Sallie Mae
 v.
 Kosmides

Merits:

Argued by John Ka-Keung Fu for appellant. Argument waived by the respondent. Cause submitted.

B195695 People
 v.
 Randale

Merits:

Argued by Meredith Watts for appellant and by Blythe Leszkay, deputy attorney general, for respondent. Cause submitted.

B195720 Mako Fund, Inc., et al.
 v.
 San Remo Funding Group

Merits:

Argued by Brian Jacobs for appellants and by Terry Anastassiou for respondents. Cause submitted.

Court recessed.

September 16, 2008 (Continued)

DIVISION THREE (continued)

Court reconvened at 10:58 a.m.

Present: Klein, P.J., Croskey, J., Mallano, J. (Assigned) and Valorie Gray, deputy clerk.

B194463 Hill et al.
 v.
 State Farm Mutual Automobile Insurance Company

Merits

Argued by Michael Hennigan for appellants and by Raoul D. Kennedy for respondents. Cause submitted

Court recessed.

Court reconvened at 1:34 p.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, deputy clerk.

Each of the following:

B197680 People v. Smith
B204308 Children and Family Services v. Inett F., et al.
B199683 People v. Botts
B199020 People v. Rodriguez

Argument waived, cause submitted.

B195688 People
 v.
 De Los Rios

Merits:

Argued by Thomas T. Ono for appellant and by David E. Madeo, deputy attorney general, for respondent. Cause submitted.

DIVISION THREE (continued)

B199830 Goldberg
 v.
 Stelmach

Merits:

Argument waived by the appellant. Argued by Ronald Richards for respondent. Cause submitted.

B205805 Los Angeles County, D.C F.S.
 v.
 Charmarie G.

Merits:

Argued by Tyna T. Orren for appellant and by William D. Thetford, deputy county counsel, for respondent. Cause submitted.

B207661 New Albertsons, Inc.
 v.
 Superior Court, Los Angeles County
 (Shanahan, et al., r.p.i.)

Merits:

Argued by Karen Bray for petitioner and by Jerome Ringler for real parties in interest. Cause submitted.

B200874 Modern Mold, Inc., et al.
 v.
 State Board Equalization of The State of California

Merits:

Argued by Jeffrey S. Baird for appellants and by Elisa B. Wolfe-Donato, deputy attorney general, for respondents. Cause submitted.

DIVISION THREE (continued)

B209498 R. B.
v.
S.C.L.A.
Children and Family Services

Merits:

Argued by R. B., poetitioner in propria persona and by Jacklyn Louie, deputy county counsel, for real party in interest. Cause submitted.

B195615 Lederman
v.
Schwarcz et al.

Merits:

Argued by Steven R. Friedman for appellants and by Scott Schomer for respondent. Submission deferred.

Court adjourned.

DIVISION FOUR

B201978 People (Not for Publication)
v.
McDuffie

The judgment is affirmed. The trial court is directed to correct the abstract of judgment to reflect that appellant was convicted of first degree murder, and to forward the corrected abstract to the Department of Corrections and Rehabilitation.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

September 16, 2008 (Continued)

DIVISION FOUR (continued)

[illegible]

The judgment is affirmed.

Willhite, Acting P.J.

We concur: Manella, J.
Suzukawa, J.

B202409 Dimon (Certified for Publication)
v.
County of Los Angeles

The judgment (order of dismissal) is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Manella, J.

B200480 Mirmehdi et al. (Not for Publication)
v.
Ross et al.

The judgment is affirmed. Respondent(s) to recover costs.

Willhite, J.

We concur: Epstein, P.J.
Manella, J.

DIVISION FIVE

B199192 Donald Isaac (Not for Publication)

V.

Los Angeles County-USC Medical Center et al.,

The judgment affirmed. Defendants are awarded costs on appeal.

Kriegler, J.

We concur: Turner, P.J.

Mosk, J.

B206264 Los Angeles County, D.C F.S. (Not for Publication)

V.

Dora M.,

The judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.

Mosk, J.

B206451 Los Angeles County, D.C F.S. (Not for Publication)

V.

Albert T.,

The judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.

Mosk, J.

DIVISION FIVE (continued)

B202620 Connie Jordan et al., (Not for Publication)

v.

Pollet, Richardson & Patel, ALC,

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

I concur: Turner, P.J.

I concur: Mosk, J., (opinion)

DIVISION SIX

B201910 People (Not for Publication)

v.

Howard

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.

Perren, J.

B198977 People (Not for Publication)

v.

Hayes

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.

Coffee, J.

DIVISION SIX (continued)

B203024 Garcia et al. (Not for Publication)
 v.
 Lopez

The judgment is affirmed. Respondent shall recover his costs on appeal.

Yegan, Acting P.J.

We concur: Coffee, J.
 Perren, J.

B201521 People (Not for Publication)
 v.
 Lay

The judgment is modified to strike the enhancement allegation that appellant proximately caused bodily injury to Neil Hodson within the meaning of section 23558. As modified, the judgment is affirmed. We do not direct the trial court to modify the abstract of judgment sent to the Department of Corrections and Rehabilitation because it does not mention the section 23558 enhancement allegations.

Yegan, Acting P.J.

We concur: Coffee, J.
 Perren, J.

DIVISION SIX (continued)

B189123 Castillo et al. (Not for Publication)

v.

Flohr et al.

The judgment and order denying attorney fees is affirmed.

The parties shall bear their own costs on appeal.

Gilbert, P.J.

We concur: Yegan, J.

 Coffee, J.

DIVISION SEVEN

B195240 Lemma et al. (Not for Publication)

v.

United Independent Taxi Drivers, Inc.

The judgment is affirmed. Respondent is to recover its costs on appeal.

Zelon, J.

We concur: Perluss, P.J.

 Jackson, J.

B198604 Brehm (Certified for Publication)

v.

21st Century Insurance Company

The order dismissing the action is reversed, and the cause is remanded for further proceedings not inconsistent with this opinion. Brehm is to recover his costs on appeal.

Perluss, P.J.

We concur: Zelon, J.

 Jackson, J.

DIVISION SEVEN(continued)

B199575 Los Angeles County, D.C F.S. (Not for Publication)
v.
Celia D.

The order sustaining the supplemental petition and removing Charles and Gabriel from placement with Celia affirmed.

Perluss, P.J.

We concur: Zelon, J.
 Jackson, J.

[illegible]

The disposition order is modified to stay the eight month term imposed for second degree burglary, count 2 of the January 30, 2007 petition, and to reduce M.C.'s maximum theoretical term of physical confinement to four years. As modified, the order is affirmed.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

B189864 Williams et al. (Not for Publication)
v.
Washington Mutual Bank

The order is affirmed. Each party is to bear their or its own costs.

Perluss, P.J.

We concur: Woods, J.
Zelon, J.

DIVISION SEVEN (continued)

B195986 Berghoff (Not for Publication)
 v.
 Trevino

The order granting Trevino's motion for a new trial is reversed, and the original judgment is reinstated. Berghoff is to recover his costs on appeal.

Perluss, P.J.

We concur: Woods, J.
 Jackson, J.

B195722 Slaughter (Not for Publication)
 v.
 Whiting

The judgment is affirmed. Estella Slaughter is to recover her costs on appeal.

Perluss, P.J.

We concur: Woods, J.
 Zelon, J.

B197973 Cordero, Jr. (Not for Publication)
 v.
 Evans

The judgment is reversed, and the matter remanded for a new trial. Appellant shall recover his costs on appeal.

Zelon, J.

We concur: Perluss, P.J.
 Woods, J.

DIVISION SEVEN (continued)

B196589 Cordero, Sr. (Not for Publication)
 v.
 Evans

The judgment is affirmed. Respondent shall recover his costs on appeal.

Zelon, J.

We concur: Perluss, P.J.
 Woods, J.

B200913 People (Not for Publication)
 v.
 Osio

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
 Woods, J.

B200022 People (Not for Publication)
 v.
 Hernandez

The judgment is modified as follows: The conviction for dissuading a witness (§ 136.1, subd. (b)(2) (count 2) is reversed; the two-year term imposed on count 2 is stricken, and the three-year term imposed for the section 12022.7, subdivision (a) great bodily injury enhancement is stayed. As modified the judgment is affirmed. The abstract of judgment is order corrected to reflect these changes. The superior court is directed to prepare a corrected abstract of judgment and to forward it to the Department of Corrections and Rehabilitation.

Zelon, J.

We concur: Woods, Acting P.J.
 Zelon, J.

DIVISION SEVEN (continued)

B196514 People (Not for Publication)
v.
Horne

The matter is remanded to the trial court for resentencing. The clerk of the superior court is then directed to prepare a corrected abstract of judgment and to forward a certified copy of the abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.

Zelon, J.

We concur: Woods, Acting P.J.
Jackson, J.

[illegible]

The judgment and order are affirmed.

Perluss, P.J.

We concur: Zelon, J.
 Jackson, J.